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ABSTRACT

Passed by the Minnesota legislature in 1977, the innovative American Indian Language and Culture Education Act provided for the establishment of American Indian language and culture education programs designed (1) to make the curriculum more relevant to the needs, interest, and cultural heritage of American Indian pupils, (2) to provide positive reinforcement of the self-image of American Indian pupils, and (3) to develop intercultural awareness among pupils, parents and staff. Major provisions implemented were a statewide needs assessment, development of an Indian language teacher licensing process and employment guidelines, and creation of a statewide advisory task force on American Indian Language and Culture Education. Appropriations totaling \$600,000 funded 11 pilot projects. Seven of these projects focused on Ojibwe, Dakota, and Winnebago cultural, language, and art development programs. Several projects provided pre-school programs to develop sensory-motor and early reading skills as well as cultural awareness. Publication of Ojibwe story books for use in grades pre-school through 6 and a Red Lake junior and senior high history book resulted from another project. A camp experience project exposed students to traditional Ojibwe life styles. Appendices contain the 1977 Act, a list of the advisory task force on American Indian Language and Culture Education, and the geographic locations of the 11 pilot projects. (NEC)

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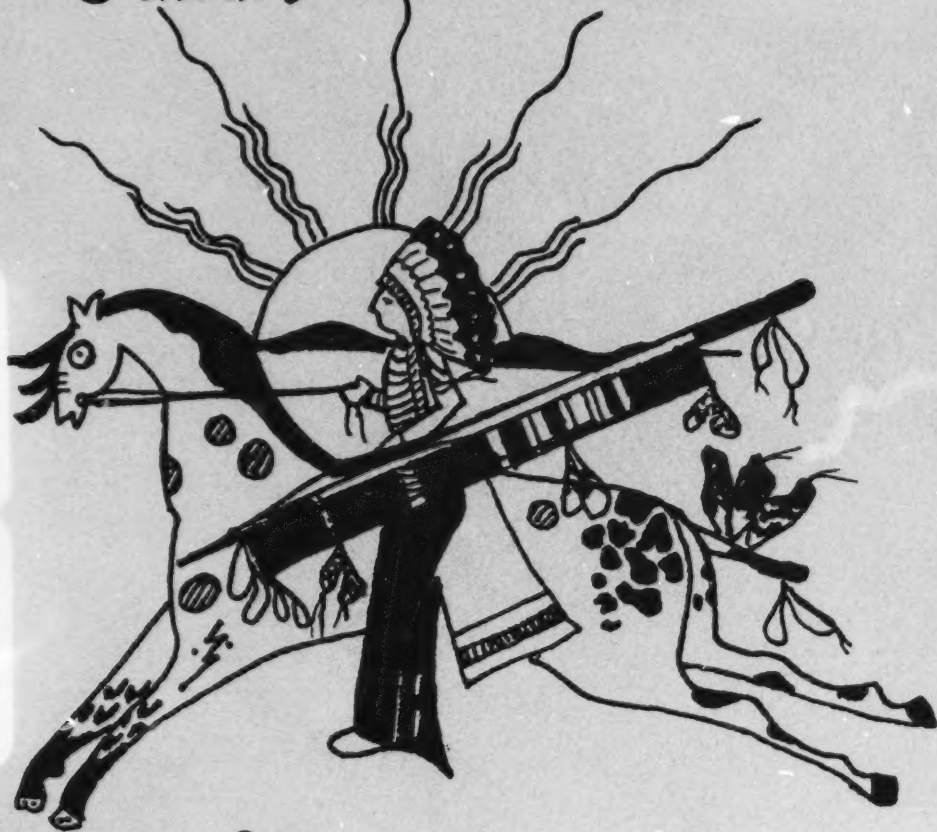


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RC011472

American Indian Language and Culture Education Act

Introduction

The American Indian Language and Culture Education Act, M.S. 126.45-126.55, was enacted by the Minnesota legislature on May 27, 1977. The policy declaration of the legislature was as follows: "The legislature finds that a more adequate education is needed for American Indian pupils in the state of Minnesota. Therefore, pursuant to the policy of the state to ensure equal educational opportunity to every individual, it is the purpose of this act to provide for the establishment of American Indian language and culture education programs." These programs are to be designed:

- (1) To make the curriculum more relevant to the needs, interests, and cultural heritage of American Indian pupils;
- (2) To provide positive reinforcement of the self-image of American Indian pupils; and
- (3) To develop intercultural awareness among pupils, parents, and staff.

Major provisions of the Act include:

- a licensing process as well as employment guidelines;
- provisions for parent and community participation;
- a statewide needs assessment;
- creation of a statewide advisory task force on American Indian Language and Culture Education; and
- funds for pilot projects.

The legislature appropriated \$600,000 to the state board of education to make grants to no fewer than six pilot projects of which at least three were to be in urban areas and at least three on or near reservations. Requests for funding could come from the board of a local district, from a participating school (non-sectarian, nonpublic, community, tribal or alternative school), or from a group of local boards. Proposals were to be submitted to the state board of education not less than six months before the commencement of the program.

The American Indian Language and Culture Education Act (Appendix A) is a companion bill to the Bilingual Education Act which was enacted during the same legislative session. A report to the legislature, the governor and the public is due on or before September 1, 1979.

The Statewide Needs Assessment

The statewide needs assessment called for in M.S. 126.52, includes the collection of information on:

- (a) Numbers, ages, locations by school district, and tribal affiliation of American Indian children;
- (b) Concentration of American Indian children in attendance areas within school districts, by tribal affiliation;
- (c) Placement rates of American Indian children in classes for handicapped pupils, in comparison with schoolwide and district-wide placement rates;
- (d) Achievement test scores, mobility rates and drop-out rates of American Indian children in comparison with average achievement test scores, mobility rates and drop-out rates;
- (e) Any other data deemed necessary to assessment of the need for American Indian language and culture education in the state.

This data collection effort, which was carried out in conjunction with the Bilingual Education data collection, is in large measure complete. Data on American Indian students have been collected from a representative sample of twenty-five school districts and alternative schools. A report from Educational Management Services, Inc., the firm that is collecting and analyzing the data, will be available by March 30, 1979.

A second component of the Needs Assessment is evaluation of available resources and of programs which could be directed toward meeting the educational needs of American Indian children. Information is also to be gathered about the theory and practice of American Indian language and culture education, and

about model designs. This research is in progress by staff of the Department of Education and will be incorporated into the final report due on September 1, 1979. Evaluation of the pilot projects will be included in the final report after completion of the projects on June 30, 1979.

Licensure

The Act provides for licensure of teachers of American Indian Language and Culture Education by the Board of Teaching. The rule-making process which was necessary in order to create such a license is complete, including public hearings, consideration by the state board of education, and referral to the Hearing Examiner and Attorney General. The rule will be published in the state register on March 5, 1979 and become effective on March 10, 1979. A copy of the rule is included as Appendix B.

The Advisory Task Force

The Act directed the state board of education to appoint an advisory task force on American Indian Language and Culture Education. Members were to be appointed so as to be representative of significant segments of the population of American Indians. The Task Force is charged with the following duties:

- (a) To make recommendations to the state board concerning approval, modification, or disapproval of proposals for pilot programs and the amount of funding to be granted to approved programs; and
- (b) To advise the state board in the administration of its duties under Sections 1 to 11 of the Act.

Accordingly, the state board of education appointed an advisory task force on August 1, 1977 with the advice and counsel of the Minnesota Indian Affairs Intertribal Board. Vacancies on the Task Force are filled in accordance with Chapter 592 - H.F. No. 85, the Open Appointments Law and with assistance from the Minnesota Indian Affairs Intertribal Board. A current list of Task Force members is appended as Appendix C.

The Pilot Projects

In accordance with M.S. 126.45-126.55, the American Indian Language and Culture Education Act, grants were awarded to fund eleven pilot projects. The statute mandates that at least three projects be located in urban areas and at least three be located on or near reservations. Of the eleven projects, four are urban, six are on/near reservations, and one is located in the range area.

Eligible applicants are boards of local districts, groups of local boards, and participating schools (including Indian alternative schools). Four of the grants have been awarded to single school districts; three grants were to fund multiple district applications; one was made to a combined school district and alternative school; two grants were made to Indian alternative schools; and one grant was made to the Pine Point Experimental School. The largest grant was \$90,500.00, the smallest \$19,650.00, (see Appendix D).

Summary of Projects

- A. Azhegiwe Bimadiziwin is a cooperative effort between the Cass Lake Public School District and Bug O Nay Ge Shig School. The program's components include Ojibwe language and culture curriculum development, a tutorial program for students needing assistance in basic skills areas, and a camp experience to expose students to the traditional life style of the Ojibwe people. The grant amount is \$62,397.42.
- B. Inter-District Language and Cultural Enrichment Program, a combined project in the Coleraine, Nashwauk-Keewatin, Hibbing and Grand Rapids school districts, featured a two-week intensive cultural and language instruction session in three buildings, for grade level K-8. The project took place during the past summer with approximately 165 Indian and non-Indian participants. The grant amount was \$29,184.24.

- C. The Dakota Project, which serves the Granite Falls and Morton School Districts, began in August and will continue through the school year. The project provides seminars and group meetings for parents and students, curriculum modification to include Dakota history and culture, teaching of Dakota language in elementary and secondary schools, and in-service training for teachers. The grant amount is \$76,884.85.
- D. Nett Lake and Orr Schools' Ojibwe Language and Culture Project is conducted jointly between Nett Lake Elementary and Orr High Schools and includes classes in Ojibwe language, culture, history, arts and crafts. The grant amount is \$42,753.47.
- E. The Pine Point Experimental School Project is focusing on Ojibwe language instruction and cultural enrichment activities. The grant amount is \$25,910.80.
- F. Indian Summer '78 was a summer project conducted by the Waubun School District at the White Earth Elementary School. The project focused on youngsters K-6 and included instruction in Ojibwe language as well as cultural enrichment activities. The grant amount was \$19,650.00.
- G. Project Be-Da-Bun (A New Day) in the Red Lake School District is designed to address three areas of need; sensori-motor and early reading activities for pre-school children in Red Lake and Ponemah, publication of Ojibwe story books for use in grades pre-school through six, and publication of a Red Lake history book for use in the junior and senior high schools in Red Lake. The grant amount is \$90,500.00
- H. The Duluth Bicultural Program includes an American Indian pre-school program to provide 3-5 year olds with an awareness of their culture and heritage as well as Indian studies classes for junior and senior high school. The grant amount is \$71,716.05.
- I. The Traditional Arts and Curriculum Project at Heart of the Earth

Survival School is a twelve-month program to provide students instruction in the "living" arts of the Ojibwe people and to develop a traditional arts curriculum package utilizing traditional arts activities. The grant amount is \$48,180.00.

- J. The Indian Language and Culture Program at Minneapolis Public Schools takes place primarily at the Hans Christian Andersen Complex in the following areas; classes in Ojibwe and Dakota language, mini courses in Indian culture, material development, inservice for other projects, and material adaption for use in the Center School. The grant amount is \$89,445.07.
- K. The Red School House's "American Indian Language and Culture Education Program" Pilot Project in St. Paul rounds out its program of service to the Indian community by developing a tribal language and cultural studies program to serve three of the tribal groups in the areas -- Ojibwe, Dakota and Winnebago. The grant amount is \$43,378.00.

Educational Implications

This legislation is truly innovative since few, if any, other states make special provisions for the education of American Indian children. These students have historically been underserved in the educational process at all levels. It is expected that the Needs Assessment efforts begun with this legislation will help to pinpoint specific areas of need as well as the program models that can best meet the unique educational needs of Minnesota's many American Indian children.

APPENDIX A

CHAPTER 312—S.F.No.455

Section 1. [126.45] AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION ACT; CITATION. Sections 1 to 11 of this act may be cited as the American Indian language and culture education act.

Sec. 2. [126.46] DECLARATION OF POLICY. The legislature finds that a more adequate education is needed for American Indian pupils in the state of Minnesota. Therefore, pursuant to the policy of the state to ensure equal educational opportunity to every individual, it is the purpose of this act to provide for the establishment of American Indian language and culture education programs.

Sec. 3. [126.47] DEFINITIONS. Subdivision 1. For the purposes of sections 1 to 11 of this act, the words, phrases, and terms defined in this section shall have the meanings given to them.

Subd. 2. "American Indian child" means any child, living on or off a reservation, who is an enrolled member of a federally recognized tribe.

Subd. 3. "Advisory task force" means the state advisory task force on American Indian language and culture education programs.

Subd. 4. "Participating school" means any nonsectarian nonpublic, tribal, or alternative school offering a curriculum reflective of American Indian culture which is funded by and participates in the programs in sections 1 to 11 of this act.

Sec. 4. [126.48] AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS. Subdivision 1. PROGRAM DESCRIBED. American Indian language and culture education programs shall be programs in elementary and secondary schools enrolling American Indian children designed:

(1) To make the curriculum more relevant to the needs, interests, and cultural heritage of American Indian pupils;

(2) To provide positive reinforcement of the self-image of American Indian pupils; and

(3) To develop intercultural awareness among pupils, parents, and staff. Program components may include: instruction in American Indian language, literature, history, and culture; development of support components for staff, including inservice training and technical assistance in methods of teaching American Indian pupils; research projects, including experimentation with and evaluation of methods of relating to American Indian pupils; provision of personal and vocational counseling to American Indian pupils; modification of curriculum, instructional methods, and administrative procedures to meet the needs of American Indian pupils; and establishment of cooperative liaisons with nonsectarian nonpublic, community, tribal or alternative schools offering curricula which reflect American Indian culture. Districts offering programs may make contracts for the provision of program components by nonsectarian nonpublic, community, tribal or alternative schools. These programs may also be provided as components of early childhood and family education programs.

Subd. 2. VOLUNTARY ENROLLMENT. Enrollment in American Indian language and culture education programs shall be voluntary. School districts and participating schools shall make affirmative efforts to encourage participation. They shall

encourage parents to visit classes or come to school for a conference explaining the nature of the program and provide visits by school staff to parents' homes to explain the nature of the program.

Subd. 3. ENROLLMENT OF OTHER CHILDREN; SHARED TIME ENROLLMENT. To the extent it is economically feasible, a school district or participating school may make provision for the voluntary enrollment of non-American Indian children in the instructional components of an American Indian language and culture education program in order that they may acquire an understanding of the cultural heritage of the American Indian children for whom that particular program is designed. However, in determining eligibility to participate in a program, priority shall be given to American Indian children. American Indian children and other children enrolled in an existing nonpublic school system may be enrolled on a shared time basis in American Indian language and culture education programs.

Subd. 4. LOCATION OF PROGRAMS. American Indian language and culture education programs shall be located in facilities in which regular classes in a variety of subjects are offered on a daily basis.

Subd. 5. ASSIGNMENT OF STUDENTS. No school district or participating school shall in providing these programs assign students to schools in a way which will have the effect of promoting segregation of students by race, sex, color, or national origin.

Subd. 6. NONVERBAL COURSES AND EXTRACURRICULAR ACTIVITIES. In predominantly nonverbal subjects, such as art, music, and physical education, American Indian children shall participate fully and on an equal basis with their contemporaries in school classes provided for these subjects. Every school district or participating school shall ensure to children enrolled in American Indian language and culture education programs an equal and meaningful opportunity to participate fully with other children in all extracurricular activities. This subdivision shall not be construed to prohibit instruction in nonverbal subjects or extracurricular activities which relate to the cultural heritage of the American Indian children, or which are otherwise necessary to accomplish the objectives described in sections 1 to 11 of this act.

Sec. 5. [126.49] TEACHERS; LICENSES; EXEMPTIONS. Subdivision 1. AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION LICENSES. The board of teaching shall grant teaching licenses in American Indian language and culture education to persons who present satisfactory evidence that they:

(a) Possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture;

(b) Possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district or a nonsectarian nonpublic, tribal, or alternative school offering a curriculum reflective of American Indian culture.

Subd. 2. PERSONS HOLDING GENERAL TEACHING LICENSES. A person holding a general teaching license who presents the board with satisfactory evidence of

competence in an American Indian language, or knowledge and understanding of American Indian history and culture may be licensed under this section.

Subd. 3. EMPLOYMENT OF TEACHERS. Teachers employed in an American Indian language and culture education program pursuant to sections 1 to 11 of this act shall not be employed to replace any presently employed teacher who otherwise would not be replaced.

Subd. 4. TEACHER PREPARATION PROGRAMS. For the purpose of licensing American Indian language and culture education teachers, the board may approve programs at colleges or universities designed for their training subject to the approval of the state board of education.

Subd. 5. PERSONS ELIGIBLE FOR EMPLOYMENT; EXEMPTIONS. Any person licensed under this section shall be eligible for employment by a school board or a participating school as a teacher in an American Indian language and culture education program in which the American Indian language or culture in which he is licensed is taught. A school district or participating school may prescribe only those additional qualifications for teachers licensed under this section as are approved by the board of teaching. Any school board or participating school upon request may be exempted from the licensure requirements of this section in the hiring of one or more American Indian language and culture education teachers for any school year in which compliance would, in the opinion of the commissioner of education, create a hardship in the securing of the teachers.

Subd. 6. PERSONS SERVING UNDER EXEMPTIONS; LICENSURE; TENURE. An American Indian language and culture education teacher serving under an exemption as provided in subdivision 5 shall be granted a license as soon as that teacher achieves the qualifications for it. Not more than one year of service by an American Indian language and culture education teacher under an exemption shall be credited to the teacher for the purposes of Minnesota Statutes, section 125.12 and not more than two years shall be credited for the purposes of section 125.17; and the one or two years shall be deemed to precede immediately and be consecutive with the year in which a teacher becomes licensed.

Subd. 7. COMPENSATION. A teacher holding a license or exemption under this section shall be compensated according to a schedule which is at least equivalent to that applicable to teachers holding general licenses.

Subd. 8. AFFIRMATIVE EFFORTS IN HIRING. In hiring for all positions in these programs, school districts and participating schools shall give preference to and make affirmative efforts to seek, recruit, and employ persons who share the culture of the American Indian children who are enrolled in the program. The district or participating school shall provide procedures for the involvement of the parent advisory committees in designing the procedures for the recruitment, screening and selection of applicants, provided that nothing herein shall be construed to limit the school board's authority to hire and discharge personnel.

Sec. 6. [126.50] TEACHERS AIDES; COMMUNITY COORDINATORS. In addition to employing American Indian language and culture education teachers, each district or participating school providing programs pursuant to sections 1 to 11 of this act may employ teachers' aides. Teachers' aides shall not be employed for the purpose of supplanting American Indian language and culture education teachers.

Any district or participating school which conducts American Indian language and culture education programs pursuant to sections 1 to 11 of this act shall employ one or

more full time or part time community coordinators if there are 100 or more students enrolled in the program. Community coordinators shall promote communication understanding, and cooperation between the schools and the community and shall visit the homes of children who are to be enrolled in an American Indian language and culture education program in order to convey information about the program.

Sec. 7. [126.51] PARENT AND COMMUNITY PARTICIPATION. Subdivision 1. School boards and participating schools shall provide for the maximum involvement of parents of children enrolled in American Indian language and culture education programs pursuant to sections 1 to 11 of this act. Accordingly, before implementing a program, each school district and participating school shall establish a parent advisory committee for that program. This committee shall afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of the American Indian language and culture education program and the educational needs of the American Indian children residing within the district's or school's attendance boundaries. The district or participating school shall ensure that the program is planned, operated, and evaluated with the involvement of and in consultation with parents of children eligible to be served by the program.

Subd. 2. The committees shall be composed solely of parents of children eligible to be enrolled in American Indian language and culture programs; secondary students eligible to be served; American Indian language and culture education teachers and aides; counselors; and representatives from community groups; provided, however, that a majority of each committee shall be parents of children enrolled or eligible to be enrolled in the corresponding program, and that the number of parents of American Indian and non-American Indian children shall reflect approximately the proportion of children of those groups enrolled in the program.

Subd. 3. School principals and other administrators or teachers within the district or participating school shall be encouraged to participate and cooperate with the parent advisory committee.

Subd. 4. If the organizational membership or the board of directors of a participating school consists solely of parents of children attending the school whose children are eligible to be enrolled in American Indian language and culture education programs, that membership or board may serve also as the parent advisory committee.

Sec. 8. [126.52] STATE BOARD OF EDUCATION DUTIES. Subdivision 1. NEEDS ASSESSMENT. The state board of education shall conduct a statewide assessment of the need for American Indian language and culture education programs, which shall include information on:

(a) Numbers, ages, locations by school district, and tribal affiliation of American Indian children;

(b) Concentration of American Indian children in attendance areas within school districts by tribal affiliation;

(c) Placement rates of American Indian children in classes for handicapped pupils, in comparison with schoolwide and districtwide placement rates;

(d) Achievement test scores, mobility rates and dropout rates of American Indian children in comparison with average achievement test scores, mobility rates and dropout rates;

(e) Any other data deemed necessary to assessment of the need for American Indian language and culture education in the state. The procedures for gathering the information shall be designed to comply with provisions of state and federal law relating to privacy and student records.

Subd. 2. RESOURCE EVALUATION. The state board shall study, review, and evaluate all available resources and programs which, in whole or in part, are or could be directed toward meeting the educational needs of American Indian children, including information on:

(a) Numbers, location, and qualifications of teachers, aides, administrators, counselors, and potential post secondary education graduates from American Indian backgrounds who have an interest in working in American Indian language and culture education programs;

(b) Programs within the state designed for the preparation of American Indian language and culture education teachers;

(c) The effectiveness of existing programs for American Indian children within the state;

(d) Successful and innovative preservice and inservice programs for staffs of American Indian language and culture education programs; and

(e) Tests, criteria, identification instruments and procedures for identifying, testing, assessing and classifying American Indian children.

Subd. 3. PROGRAM MODELS. The state board shall gather information about the theory and practice of American Indian language and culture education and design program models appropriate for meeting the need for American Indian language and culture education in conjunction with the basic educational program in the state.

Subd. 4. EVALUATION OF PILOT PROGRAMS. The state board shall provide for comprehensive evaluation of pilot programs funded under sections 1 to 11 of this act. The state board may also provide for the comprehensive evaluation of existing educational programs offered by nonsectarian nonpublic, community, tribal, or alternative schools, provided that that school consents to the evaluation of its existing program. The evaluation shall include assessment of pupil achievement, processes and results of establishing quality programs, and attitudes of people involved in and affected by programs.

Subd. 5. COMMUNITY INVOLVEMENT. The state board shall provide for the maximum involvement of the state advisory task force on American Indian language and culture education, parents of American Indian children, secondary students eligible to be served, American Indian language and culture education teachers, teachers' aides, representatives of community groups, and persons knowledgeable in the field of American Indian language and culture education, in the formulation of policy and procedures relating to the administration of sections 1 to 11 of this act. The needs assessments and resource evaluations provided for in subdivisions 1 and 2 of this section shall be undertaken on Indian reservations only in connection with, or with the permission of, the respective tribal governments.

Subd. 6. CONSULTATION. The state board shall consult with and make recommendations to other public departments and agencies in connection with the administration of sections 1 to 11 of this act.

Subd. 7. TEACHER LICENSURE. The state board shall provide to the board of teaching a report on its research and experience in American Indian language and culture education insofar as such research may have a bearing on the establishment of teacher licensure requirements by the board of teaching. The board of teaching shall submit its proposals to the state board for approval pursuant to the procedures in section 125.185, subdivision 4.

Subd. 8. TECHNICAL ASSISTANCE. The state board shall provide technical assistance to school districts, participating schools and post secondary institutions for preservice and inservice training for American Indian language and culture education teachers and teacher's aides, teaching methods, curriculum development, testing and testing mechanisms, and the development of materials for American Indian language and culture education programs.

Subd. 9. APPLICATION FOR FUNDS. The state board shall apply for grants or funds which are, or may become, available under federal programs for American Indian language and culture education, including funds for administration, demonstration projects, training, technical assistance, planning and evaluation.

Subd. 10. REPORT. The state board shall make a report to the legislature, the governor and the public on or before September 1, 1979. This report shall include the results of the needs assessment, including an evaluation of the pilot programs, and recommendations for legislation in the area of American Indian language and culture education.

Subd. 11. RULES AND REGULATIONS. The state board, upon the receipt of recommendations by the advisory task force, may promulgate rules providing for standards and procedures appropriate for the implementation of and within the limitations of sections 1 to 11 of this act.

Sec. 9. [126.53] ADVISORY TASK FORCE ON AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS. Subdivision 1. ESTABLISHMENT. The state board of education shall appoint an advisory task force on American Indian language and culture education programs. Members shall include: representatives of community groups, parents of children eligible to be served by the programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian language and culture education programs, persons involved in programs for American Indian children in nonsectarian nonpublic, community, tribal, or alternative schools, and persons knowledgeable in the field of American Indian language and culture education. Members shall be appointed so as to be representative of significant segments of the population of American Indians.

Subd. 2. DUTIES. The advisory task force on American Indian language and culture education programs shall be charged with the following duties:

(a) To make recommendations to the state board concerning approval, modification, or disapproval of proposals for pilot programs and the amounts of grants to approved programs; and

(b) To advise the state board in the administration of its duties under sections 1 to 11 of this act.

Subd. 3. The advisory task force shall expire and the terms, compensation, and removal of members shall be as provided for in Minnesota Statutes, Section 15.059, Subdivision 6.

Sec. 10. [126.54] PILOT PROGRAMS. Subdivision 1. GRANTS; PROCEDURES.

For fiscal years 1978 and 1979, as part of the needs assessment effort, the state board of education shall make grants to no fewer than six school year pilot American Indian language and culture education programs. At least three pilot programs shall be in urban areas and at least three shall be on or near reservations. The board of a local district, a participating school or a group of boards may develop a proposal for grants in support of pilot American Indian language and culture education programs. Proposals may provide for contracts for the provision of program components by nonsectarian nonpublic, community, tribal or alternative schools. The state board shall prescribe the form and manner of application for grants and no grant shall be made for a proposal not complying with the requirements of sections 1 to 11 of this act. Every program proposal shall be submitted to the state board not less than six months before the planned commencement of the program. The state board shall submit all proposals to the state advisory task force on American Indian language and culture education programs for its recommendations concerning approval, modification, or disapproval and the amounts of grants to approved programs.

Subd. 2. PLANS. Each school district or participating school submitting a proposal under subdivision 1 shall develop and submit with the proposal a plan which shall:

(a) Identify the measures to be used to meet the requirements of sections 1 to 11 of this act;

(b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;

(c) Describe how district goals and objectives as well as the objectives of sections 1 to 11 are to be achieved;

(d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 4, subdivision 5;

(e) Describe how each school program will be organized, staffed, coordinated, and monitored; and

(f) Project expenditures for programs under sections 1 to 11 of this act.

Subd. 3. ADDITIONAL REQUIREMENTS. Each school district receiving a grant under this section shall each year conduct a count of American Indian children in the schools of the district; test for achievement; identify the extent of other educational needs of the children to be enrolled in the American Indian language and culture education program; and classify the American Indian children by grade, level of educational attainment, age and achievement. This count may be part of the school census required pursuant to section 120.095. Participating schools shall maintain records concerning the needs and achievements of American Indian children served.

Subd. 4. NONDISCRIMINATION; TESTING. In accordance with recognized professional standards, all testing and evaluation materials and procedures utilized for the identification, testing, assessment and classification of American Indian children shall be selected and administered so as not to be racially or culturally discriminatory and shall be valid for the purpose of identifying, testing, assessing, and classifying American Indian children.

Subd. 5. RECORDS. Participating schools and school districts shall keep records and afford access to them as the commissioner finds necessary to ensure that American Indian language and culture education programs are implemented in conformity with

sections 1 to 11 of this act. Each school district or participating school shall keep an accurate, detailed, and separate account of all money received and paid out by it for pilot American Indian language and culture education programs funded under this section.

Subd. 6. FUNDS FROM OTHER SOURCES. A school district or participating school providing American Indian language and culture education programs shall be eligible to receive funds for these programs from other government agencies and from private sources when the funds are available.

Subd. 7. Nothing in sections 1 to 11 shall be construed as prohibiting a district or school from implementing an American Indian language and culture education program which is not in compliance with sections 1 to 11 of this act if the proposal and plan for that program is not funded pursuant to this section.

Sec. 11. [126.55] OTHER STATUTES. Nothing in the provisions of sections 1 to 11 of this act shall be construed to violate the provisions of Minnesota Statutes, Section 127.08 or Chapter 363. Programs and activities pursuant to sections 1 to 11 of this act shall be deemed to be positive action programs to combat discrimination.

Sec. 12. Minnesota Statutes 1976, Section 120.095, is amended by adding a subdivision to read:

Subd. 7. The school census shall include an enumeration of American Indian children resident within the district. In making this census the school board shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which might have information about American Indian children residing in the school district.

January 19, 1979

5 MCAR § 3.086 Teachers of American Indian language and/or American Indian history and culture. (All new material.)

A. The Board of Teaching shall, in accordance with M.S. 126.49 and the provisions of this rule, authorize the issuance of a license to teach an American Indian language and/or an American Indian history and culture to any person who has achieved and demonstrated competence in an American Indian language and/or knowledge and understanding of an American Indian history and culture.

Nothing in this rule shall prohibit a school board from employing a person to teach an American Indian language and/or an American Indian history and culture who does not hold a license authorized by this rule.

B. An application for a license authorized by this rule may be submitted by persons on their own behalf or may be submitted by the superintendent or other authorized official of a school district, or a nonsectarian nonpublic, tribal or alternative school offering a curriculum reflective of American Indian culture, on behalf of a person who has demonstrated competence in an American Indian language and/or knowledge and understanding of an American Indian history and culture. The application shall specify the language, and/or the history and culture, and grade levels to be taught by the applicant and shall also include the following:

1. Certified copies of resolutions attesting to the competence in an American Indian language and/or the knowledge and understanding of an American Indian history and culture of the applicant from at least two of the following:

a. The tribal government governing the tribe or community speaking the language and/or representing the history and culture for which licensure is requested,

b. The reservation business committee serving the tribe or community speaking the language and/or representing the history and culture for which licensure is requested,

c. The local Indian education committee serving the tribe or community speaking the language and/or representing the history and culture for which licensure is requested,

d. Other bodies governing or serving the tribe or community speaking the language and/or representing the history and culture for which licensure is requested,

OR

e. Two certified statements from authorized officials of professional or learned societies, organizations, or institutions who are qualified to assess the competence of the applicant in the language and/or the knowledge and understanding of the history and culture for which licensure is requested; that they have assessed the applicant and the applicant is competent in the language for which licensure to teach is requested and/or possesses knowledge and understanding of the history and culture for which licensure to teach is requested; and

2. A processing fee as established by the Board of Teaching.

C. Each license issued hereunder authorizes the holder to teach an American Indian language and/or an American Indian history and culture at the grade levels approved by the Board of Teaching.

D. Each license shall be valid for a one-year period and renewable for one year increments. Notwithstanding any rule to the contrary the individual applicant shall show evidence of professional growth by the acquisition of 15 renewal units approved and granted by the local continuing education committee prior to the date of each renewal application.

E. The Board of Teaching shall review this rule at least every five years following enactment. The initial review shall include specific proposals for a rule authorizing issuance of a standard two-year entrance license.

APPENDIX C

CHAPTER 312 - TASK FORCE

Alternative School Representative

O P E N

Duluth Area Representative

Ms. Amelia LeGarde,
SECRETARY OF CH.312 TASK FORCE
Chairperson, Duluth Indian Educ. Advisory
402 N. 8th Avenue East
Duluth, MN 55805
Phone: (218) 726-3631

Red Lake Representative

Ms. Verna Wood, Education Director
Red Lake Band of Chippewa Indians
Red Lake, MN 56671
Phone: (218) 679-3341

Minneapolis Area Representative

Ms. Emily Peake, Director
Upper Midwest Indian Center
1113 West Broadway
Minneapolis, MN 55411
Phone: (612) 522-4436

St. Paul Area Representative

O P E N

Minnesota Sioux Representatives

Ms. Lorraine (Cavender) Gouge
Chapter 312 Project Director
Upper Sioux Tribal Office
Route 2
Granite Falls, MN 56241
Phone: (612) 564-4504

Ms. Carolyn Schommer
2319 Cole Ave. S.E.
Minneapolis, MN 55414
Phone: (612) 874-1065
(Instructor-Dakota Sioux Granite Falls
University of Minnesota, Mpls. 55455)

Minnesota Chippewa Tribe Representatives

Mr. Norman W. Deschampe,
VICE-CHAIRMAN-CH. 312 TASK FORCE
Director, Community Action Program
Grand Portage, MN 55605
Phone: (218) 475-2277

Ms. Nadine Chase
Leech Lake Reservation Business
Box 308 Committee
Cass Lake, MN 56633
Phone: (218) 335-2207

Ms. Joanne Donald
Box 729
Tower, MN 55790
Phone: (218) 753-3964

APPENDIX D

RESERVATION (ON OR NEAR)

Red Lake	\$ 90,500.00
Granite Falls (et al)	76,884.85
White Earth	19,650.00
Nett Lake (et al)	42,753.47
Cass Lake (Bug O Nay Ge Shig)	62,397.52
Coleraine (et al)	29,184.24
Pine Point	25,910.80

URBAN

Minneapolis	89,445.07
Heart of the Earth	48,180.00
Duluth	71,716.05
Red School House	<u>43,378.00</u>
	\$600,000.00